

Message Text

CONFIDENTIAL

PAGE 01 STATE 107766
ORIGIN OES-07

INFO OCT-01 EUR-12 ISO-00 DOE-15 SOE-02 ACDA-12 IO-13
NRC-05 SIG-03 AID-05 CEA-01 CIAE-00 COME-00
DODE-00 EB-08 H-01 INR-10 INT-05 L-03 NSAE-00
NSC-05 OMB-01 PM-05 ICA-11 SP-02 SS-15 STR-07
TRSE-00 CEQ-01 /150 R

DRAFTED BY OES/NET/EIC:DHOYLE
APPROVED BY OES/NET/EIC:DHOYLE
DOE/ISA - HAGIS
DOE/IA - J GARRETT
ACDA - R WILLIAMSON
IO/SCT - A JILLSON
EUR/RPE - W SALISBURY
NRC - M PETERSON

-----076789 272322Z /14

P 271949Z APR 78
FM SECSTATE WASHDC
TO AMEMBASSY BRUSSELS PRIORITY
AMEMBASSY VIENNA
INFO AMEMBASSY BONN PRIORITY
AMEMBASSY COPENHAGEN
AMEMBASSY DUBLIN
AMEMBASSY LONDON
AMEMBASSY LUXEMBOURG
AMEMBASSY PARIS
AMEMBASSY ROME
AMEMBASSY THE HAGUE

C O N F I D E N T I A L STATE 107766

USEEC, USIAEA

E.O. 11652: GDS

TAGS:TECH, ENGR
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 107766

SUBJECT: PHYSICAL SECURITY ASSURANCES

1. ONE OF THE CRITERIA OF THE NUCLEAR NON-PROLIFERATION
ACT OF 1978 IS A REQUIREMENT THAT ADEQUATE PHYSICAL SECURITY
MEASURES WILL BE MAINTAINED WITH RESPECT TO U.S.-SUPPLIED
MATERIALS OR FACILITIES OR ANY SPECIAL NUCLEAR MATERIAL

USED IN OR PRODUCED THROUGH THEIR USE.

2. AT LEAST UNTIL SUCH TIME AS EXISTING AGREEMENTS FOR COOPERATION CAN BE AMENDED TO REFLECT THIS REQUIREMENT, THE EXECUTIVE BRANCH NORMALLY PLANS TO ADD A REQUEST FOR SUCH COMMITMENT TO ITS LETTER OF ASSURANCE ("AUTHORIZED PERSONS LETTER"), IN WHICH THE OTHER PARTY TO THE AGREEMENT IS ASKED TO ASSURE THE U.S. THAT THE TRANSFER IS SUBJECT TO ALL OF THE TERMS OF THE AGREEMENT AND THAT THE CONSIGNEE(S) IS AUTHORIZED TO RECEIVE AND POSSESS THE MATERIAL OR FACILITY.

3. WITH RESPECT TO THE EURATOM AND IAEA AGREEMENTS, AS OPPOSED TO BILATERALS, THERE IS SOME QUESTION AS TO HOW THIS PHYSICAL SECURITY GUARANTEE SHOULD BE HANDLED, SINCE PHYSICAL SECURITY GENERALLY IS CONSIDERED TO BE THE RESPONSIBILITY OF THE INDIVIDUAL NATION AND EURATOM AND IAEA HAVE ESSENTIALLY NO ROLE IN THE ENFORCEMENT OF PHYSICAL SECURITY MEASURES (EXCEPT FOR EURATOM'S COMMON RESEARCH CENTERS). THE BASIC QUESTIONS WE HAVE ARE:

A. DOES THE COMMUNITY OR THE IAEA WISH TO BE ASSOCIATED IN ANY WAY WITH THE PHYSICAL SECURITY GUARANTEE?

B. WILL IT BE PREPARED TO OBTAIN THE NECESSARY GUARANTEE FROM THE NATION INVOLVED AND TRANSMIT IT TO THE U.S. AS A PART OF THE ASSURANCE LETTER?
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 107766

C. CONVERSELY, WOULD IT PREFER TO HAVE THE U.S APPROACH THAT NATION DIRECTLY AND BILATERALLY FOR THIS GUARANTEE?

FYI -- OUR OFF-HAND REACTION IS TO PREFER B. OVER C., BUT WE BELIEVE THAT EITHER COULD BE ACCEPTABLE. END FYI.

4. ADDRESSEE POSTS ARE REQUESTED TO RAISE THIS QUESTION EXPEDITIOUSLY, SINCE THE EXECUTIVE BRANCH'S ABILITY TO PROVIDE THIS GUARANTEE MAY BECOME A FACTOR IN THE ISSUANCE OF FUTURE EXPORT LICENSES. VANCE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PHYSICAL SECURITY, LAW, NUCLEAR AGREEMENTS, FISSIONABLE MATERIALS TRANSFER
Control Number: n/a
Copy: SINGLE
Draft Date: 27 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE107766
Document Source: CORE
Document Unique ID: 00
Drafter: DHOYLE
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780181-0151
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t1978049/aaaaagvy.tel
Line Count: 105
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 22ffedb5-c288-dd11-92da-001cc4696bcc
Office: ORIGIN OES
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 13 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3065567
Secure: OPEN
Status: NATIVE
Subject: PHYSICAL SECURITY ASSURANCES
TAGS: TECH, ENRG, US
To: BRUSSELS VIENNA MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/22ffedb5-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014